

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CR2010-007912-002 DT

01/25/2013

HONORABLE JOSEPH KREAMER

CLERK OF THE COURT
E. Rosel
Deputy

STATE OF ARIZONA

KIRSTEN VALENZUELA
HILARY L WEINBERG

v.

ELDRIDGE AUZZELE GITTENS (002)

SUSAN L COREY

CAPITAL CASE MANAGER

ORAL ARGUMENT

2:54 p.m.

Prior to commencement of today's proceeding, Defendant's Exhibits 3-7 are marked for identification.

Courtroom SCT 6A

State's Attorney:	Hilary Weinberg
Defendant's Attorney:	Susan Corey
Defendant:	Present

Court Reporter, Laura Ashbrook, is present.

A record of the proceeding is also made by audio and/or videotape.

This is the time set for continuing Oral Argument on Defendant's Motion to Dismiss the Death Penalty.

Defendant's Exhibits 3-7 are received in evidence.

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Argument is heard as to Defendant's Proposed Findings of Fact and Offer of Proof, Pursuant to Rule 103(c), Arizona Rules of Evidence.

For the reasons set forth on the record,

IT IS ORDERED denying Defendant's Proposed Findings of Fact and Offer of Proof Pursuant to Rule 103(c), Arizona Rules of Evidence.

Argument is heard as to Defendants Motion to Dismiss the Death Penalty.

For the reasons set forth on the record,

IT IS ORDERED denying Defendant's Motion in part, as it relates to the equal protection issue.

IT IS FURTHER ORDERED that the parties shall file simultaneous briefs, no later than February 22, 2013, as it relates to Defendant's additional "narrowing" argument.

IT IS FURTHER ORDERED affirming **Capital Case Management Conference** set for **February 8, 2013 at 2:30 p.m.** before this Division.

IT IS FURTHER ORDERED affirming **Final Trial Management Conference** set for **January 6, 2014 at 8:30 a.m.** before this Division.

IT IS FURTHER ORDERED affirming **Trial** set for **January 13, 2014 at 8:00 a.m.** before this Division.

3:55 p.m. Matter concludes.

This case is eFiling eligible: <http://www.clerkofcourt.maricopa.gov/efiling/default.asp>. Attorneys are encouraged to review Supreme Court Administrative Order 2011-140 to determine their mandatory participation in eFiling through AZTurboCourt.